

**REMARKS*****Petition for Change in the Order of the Names of the Inventors******Under 37 C.F.R. § 1.182***

On April 19, 2005, the Applicants submitted a petition requesting the reordering of, specifically, the first two named inventors. The Applicants would request that the first named inventor in this application be designated as Walter D. Lichtenstein. The Applicants would further request the Examiner ensure proper consideration (and grant) of the petition prior to the close of prosecution in this matter.

***Allowable Subject Matter***

In the *Office Action*, the Examiner found claims 64-66 to be allowable. See *Office Action*, p. 10 at ¶ 26. The Applicants thank the Examiner for identifying this allowable subject matter.

***Rejections Under 35 U.S.C. § 103***

The Applicants have cancelled all claims rejected by the Examiner under 35 U.S.C. § 103 as being obvious per U.S. patent number 6,332,023 to *Porter et al.* and U.S. patent number 6,240,460 to *Mitsutake et al.* The Applicants, therefore, contend the Examiner's 35 U.S.C. § 103 rejection to be moot.

The Applicants have cancelled all claims rejected by the Examiner under 35 U.S.C. § 103 as being obvious per U.S. patent number 6,332,023 to *Porter et al.*, U.S. patent number 6,240,460 to *Mitsutake et al.*, and U.S. patent number 6,337,850 to *Nakano et al.* The Applicants, therefore, contend the Examiner's 35 U.S.C. § 103 rejection to be moot.

The Applicants have cancelled all claims rejected by the Examiner under 35 U.S.C. § 103 as being obvious per U.S. patent number 6,332,023 to *Porter et al.*, U.S. patent

number 6,240,460 to *Mitsutake et al.*, and U.S. patent number 6,208,661 to *Marshall et al.* The Applicants, therefore, contend the Examiner's 35 U.S.C. § 103 rejection to be moot.

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The Applicants have cancelled all claims rejected by the Examiner under 35 U.S.C. § 103 as being obvious per U.S. patent number 6,332,023 to *Porter et al.*, U.S. patent number 6,240,460 to *Mitsutake et al.*, and U.S. patent number 6,208,661 to *Marshall et al.*, and the Examiner's taking of "Official Notice." The Applicants, therefore, contend the Examiner's 35 U.S.C. § 103 rejection to be moot.

The Applicants' cancellation of these claims is not to be interpreted as accepting the bases of rejection proffered by the Examiner. To the contrary, the Applicants believe there to be distinguishing features between the cited references and the cancelled claims. For the sake of expediting allowance of the present application, however, the Applicants have made the aforementioned cancellations. The Applicants, therefore, expressly reserve the right to pursue these cancelled claims in a continuation application.

### CONCLUSION

All rejected claims have been cancelled without prejudice thereby making the Examiner's 35 U.S.C. § 103 rejections moot. As such, all claimed subject matter is now in condition for allowance. The Examiner is invited to contact the Applicants' undersigned representative with any questions concerning this response.

Respectfully submitted,  
Walter D. Lichtenstein et al.

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By:



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